

MINUTES

INTERAGENCY MIGRANT WORKER POLICY COMMITTEE MEETING

December 9, 2003

The quarterly meeting of the Interagency Migrant Worker Policy Committee was held at 10:00 a.m. on December 9, 2003 at the Virginia Department of Labor and Industry. The Chairman, Commissioner C. Ray Davenport, who called the meeting to order, and the Policy Committee Administrator, Betty B. Jenkins, were present.

In attendance were the following:

Kenny Annis, MSFW Board Representative
Kim Lewis, Virginia Workers' Compensation
Perida Giles, Virginia Department of Agriculture and Consumer Services
Harry Gregori, Virginia Department of Environmental Quality
Paul Lanier, Virginia Employment Commission
Jack Turner, Virginia Employment Commission
Roberta Schlicher, Virginia Department of Education
Maricel Quintana-Baker, Virginia Department of Business Assistance
Jeff Nelson, Virginia Department of Medical Assistance Services
Rick Cagan, MSFW Board

Ms. Jenkins distributed the minutes of the September 30, 2003 Migrant Worker Policy Committee meeting and the October 29, 2003 MSFW Board meeting and other information.

Commissioner Davenport invited members to introduce themselves. He then requested a motion to approve the minutes from the September 30, 2003 meeting; Mr. Gregori moved the minutes be approved and Mr. Annis seconded the motion. The minutes were approved as presented.

Mr. Annis gave a brief overview of the October 29, 2003 MSFW Board meeting. He stated that the Board voted to send three letters to Governor Warner on the Craig/Kennedy Bill, the Board's jurisdiction, and the elimination of migrant education funds from the state's budget. He felt the Board would be agreeable to overseeing H-2B issues, but additional Board members would be needed.

Commissioner Davenport said that he has discussed the question of the Board's jurisdiction with both the Secretary and the Governor's offices and has made them aware that there were issues to be addressed if the change occurred, such as longer meetings and funding. He indicated that the H-2B worker population is increasing. Mr. Turner indicated that meanwhile H-2B worker interests are not being addressed.

Mr. Cagan had attended the Migrant Health Conference in Natural Bridge in November and distributed a presentation from the conference on Medicaid reciprocity. He reported

that participants at the conference recommended that a task force be formed to study the issues of migrant families living and working in Virginia.

There was discussion about guest worker legislation introduced in the Craig/Kennedy Bill and now the Goodlatte/Stenholm Bill. It was noted that President Bush has said he will sign the Craig/Kennedy legislation and there appears to be enough support to pass the legislation. The Goodlatte/Stenholm legislation will eliminate the Adverse Effect Wage Rate and replace it with a prevailing wage standard which requires that employers pay fair and realistic wages when compared to similar work in the region. Mr. Annis added that both the National Council of Agricultural Employers and the Virginia Potato and Vegetable Growers Association endorse the Craig/Kennedy Bill. There were comments about the detrimental effect that a four per cent increase would cause growers. He further commented that growers sometimes do not understand that the prevailing wage could be higher than the adverse wage rate.

Regarding the elimination of migrant education funds from the state's budget, Ms. Schlicher noted that her agency does not lobby the General Assembly for funds and that the Department of Education was aware that the funds were being eliminated. Commissioner Davenport added that an additional \$1.3 billion will have to be cut from the state's budget.

Commissioner Davenport stated that there was no other information on the JLARC Study other than the news article Ms. Jenkins had placed in the meeting package.

Ms. Quintana-Baker stated that she attended a JLARC presentation on the Immigrant Study and found it very positive. She mentioned that state funds tend to go to health care but funds for language instruction were recommended.

The next Interagency Migrant Worker Policy Committee meeting is scheduled for 10:00 a.m. on March 9, 2004.

The next MSFW Board Meeting is scheduled for 10:00 a.m. on January 28, 2004 at Virginia State University in Petersburg.

There being no further business, the meeting was adjourned at 10:40 a.m.